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Attorneys for Mark Dannels, Pat Downing, Kris Karcher, Shelly McInnes,  
Raymond McNeely, Kip Oswald, Michael Reeves, Sean Sanborn,  
Eric Schwenninger, Chris Webley, Anthony Wetmore, Craig Zanni,  
David Zavala, City of Coquille, City of Coos Bay, Coos County, Oregon,  
and the Estate of David E. Hall

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

EUGENE DIVISION

Nicholas James McGuffin,  
as an individual and as guardian  
*ad litem*, on behalf of S.M., a minor,

Case No. 6:20-cv-01163-MK  
(Lead Case)

Plaintiffs,

v.

Mark Dannels, Pat Downing, Susan  
Hormann, Mary Krings, Kris Karcher,  
Shelly McInnes, Raymond McNeely,  
Kip Oswald, Michael Reaves, John  
Riddle, Sean Sanborn, Eric  
Schwenninger, Richard Walter,  
Chris Webley, Anthony Wetmore,  
Kathy Wilcox, Craig Zanni, David  
Zavala, Estate of Dave Hall,  
Vidocq Society, City of Coquille,  
City of Coos Bay, Coos County,  
and Oregon State Police,  
Defendants.

**Declaration of Robert E. Franz, Jr.**  
in Support of Municipal Defendants'  
Motion for Order to Show Cause

Nicholas James McGuffin, as an  
Individual and as guardian ad litem,  
on behalf of S.M., a minor,

Case No. 3:21-cv-01719-MK  
(Trailing Case)

Plaintiffs,

v.

Oregon State Police,

Defendant.

I, Robert E. Franz, Jr., hereby declare under penalty of perjury as follows:

I am over the age of 18 years, and I make this declaration based on my  
personal knowledge of the facts contained herein.

I am one of the attorneys representing the Municipal Defendants in the  
above-captioned matter. On June 2, 2023, my office issued a subpoena to appear  
for a deposition to Ms. Aleksandra Djeriç, a lay witness who I believe has  
knowledge of information relevant to the claims and defenses in this case. A true  
and correct copy of that subpoena is attached hereto as Exhibit A. The subpoena  
commanded Ms. Djeriç to appear at 1:00 p.m. on July 7, 2023, at the offices of  
Maloney Lauersdorf Reiner, PC at 1111 E. Burnside Street, Suite 300 in Portland,  
Oregon.

My office received confirmation from Nationwide Process that Ms. Djeriç  
was personally served with the above-described subpoena at her residence at 687  
Center St. in Oregon City, Oregon, by Nationwide's process server Mitch Wirth on  
June 25, 2023. A true and correct copy of the certificate of service is attached  
hereto as Exhibit B.

On July 7, 2023, I was present at the offices of Maloney Lauersdorf Reiner,  
PC at 1111 E. Burnside Street, Suite 300 in Portland, Oregon at the time Ms.  
Djeriç was commanded by the federal subpoena to appear for her deposition. Ms.  
Djeriç did not obey the subpoena and did not appear at the time commanded. I am

not aware of any circumstances that would have prevented Ms. Djeriç from obeying the subpoena.

On July 12, 2023, I mailed a letter via First Class Mail to Ms. Djeriç regarding the subpoena and her failure to obey it, and I requested that she call me on my cell phone. A true and correct copy of the letter is attached hereto as Exhibit C. A copy of that same letter was also hand-delivered to the residence of Ms. Djeriç on Monday, July 17, 2023, at which time Ms. Djeriç did not answer knocks at her door. To this date, Ms. Djeriç has not contacted me or my office.

PURSUANT TO 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

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Robert E. Franz, Jr.

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Date